

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

AMAZIN' RAISINS INTERNATIONAL, INC.  
an Ontario, Canada corporation,

Plaintiff,

V.

Civ. Action No. 04-12679-MLW

OCEAN SPRAY CRANBERRIES, INC.,  
a Delaware corporation,

Defendant.

**ASSENTED-TO MOTION FOR AN EXTENSION OF TIME**

Plaintiff Amazin' Raisins International, Inc. ("Amazin' Raisins"), with the assent of Defendant Ocean Spray Cranberries, Inc. ("Ocean Spray"), hereby seeks to modify the summary judgment briefing schedule (as ordered on December 9, 2005) as follows:

02/03/06 – Deadline to file oppositions to summary judgment motion

02/17/06 – Deadline to file a reply in support of the summary judgment motion

The parties do not believe it is necessary to move the scheduling conference currently scheduled for January 30, 2006, which conference was scheduled under the Court's Order of November 28, 2005.

Pursuant to Fed. R. Civ. P. 6(b), the Court may, in its discretion, enlarge a time period set forth in a previous order. The instant motion for an extension of time is not interposed for the purposes of delay. Rather, Amazin' Raisins requests this extension so that it can conduct the deposition of the inventor of the accused process. Amazin' Raisins believes this deposition is necessary to fully address the issues raised in the pending motion for summary judgment on the issue of infringement. In addition, Ocean Spray assents to the requested extension of time.

WHEREFORE, Amazin' Raisins respectfully requests that the Court grant this motion to modify the summary judgment briefing schedule.

Dated: January 9, 2006

MERCHANT & GOULD P.C.

s/Todd S. Werner

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